

## REMARKS

### Interview Summary

Applicant's representative, Mark Niemann, wishes to thank Examiner Tran for the  
5 telephone interview conducted on August 25<sup>th</sup>, 2008.

During the interview, Applicant's representative and the Examiner discussed  
ways in which Applicant's disclosure differed from the Stevenson reference. While no  
agreement was specifically reached during the interview, Examiner Tran indicated that  
she would examine proposed amendments related to the discussion that occurred during  
10 the interview. After the interview, Applicant's Representative faxed proposed  
amendments to the Examiner, but Examiner Tran did not reply.

Applicant respectfully requests a phone call if the Examiner thinks there are any  
further issues that might delay issuance.

### Rejections under § 102

15 Claims 14-54 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S.  
Publication No. 2004/0236864 to Stevenson et al. ("Stevenson").

### The Claims

20 **Claim 14** has been amended, and as amended recites a method comprising [added  
language is indicated in bold italics]:

- 25 • receiving a request for media data at a media access server from a media  
access client configured as a module executable on a computer, wherein  
the media access server is a module that is also executable on the  
computer to provide a media selection mechanism to a plurality of said  
media access clients that are local to the computer;
- identifying one or more stored media items by the media access server;
- identifying one or more stored media lists by the media access server;
- 30 • *identifying one or more media devices coupled to the computer by the  
media access server;*
- *aggregating and categorizing* information regarding the one or more  
stored media items, *[[and]]* the one or more stored media lists, *and the*  
*one or more media devices* by the media access server *and displaying the*  
35 *aggregated and categorized information* in a consistent manner by the

plurality of said media access clients that are local to the computer, one to another, using a common user interface.

In making out the rejection of claim 14, the Office argues that claim 14 is anticipated by Stevenson. Applicant has amended claim 14 to further distinguish claim 14 from Stevenson. Specifically, claim 14 has been amended to recite “identifying one or more *media devices* coupled to the computer by the media access server.” Applicant respectfully submits that Stevenson does not teach or suggest identifying media devices. Claim 14 has been further amended to recite “*aggregating and categorizing* information regarding the one or more stored media items, the one or more stored media lists, and the one or more stored media devices by the media access server *and displaying the aggregated and categorized information* in a consistent manner.” Applicant respectfully submits that Stevenson does not teach or in any way suggest the added steps of aggregating and categorizing, and displaying.

In order to assist the Office in further understanding the amendments made to claim 1, Applicant refers the Office to Fig. 2 and the discussion thereof. The discussion of Fig. 2 from pages 6-7 of Applicant’s Specification is reproduced below for the convenience of the Office:

**Applicant’s Specification, Pages 6-7**

Fig. 2 is a flow diagram illustrating an embodiment of a procedure 200 for aggregating media data and allowing clients to access the aggregated media data. Initially, a media access server receives a request for media data from a media access client (block 202). The request for media data may be generated, for example, by a user request to play a media item or access a media device. The media access server identifies media items, media lists and media devices stored on or coupled to a computing system (block 204). The media access server then provides data regarding the identified media items, media lists and media devices to the requesting media access client (block 206). The media access server does not necessarily retrieve the actual media data. Instead, information regarding the media data is identified and provided to the media access client. For example, instead of providing a music file to the media access client, the media access server provides information regarding the music file, such as title, author, etc.

The requesting media access client receives the data from the media access server. The requesting media access client then aggregates and categorizes the received data and displays the data using the user interface generator (block 208). This aggregation and categorization of media data eliminates the need for a user to

5 have prior knowledge of the physical location of media items, media playlists and/or media devices by aggregating the media data into a single user interface. Categorizing the aggregated data aids the user in selecting one or more desired media items, playlists, or devices. For example, media data can be categorized by artist name, album name, genre, and the like. Example user interfaces are discussed below with respect to Figs. 4-6.

10 A user of the computing system makes a media selection using the user interface generated by the user interface generator (block 210). The user's selection is processed by the media access client and the necessary operation is communicated to the media access server (block 212). The media access server then executes the necessary operation (block 214), such as playing a selected media item or activating a media device.

15 As discussed above, claim 14 as amended recites (1) identifying media items, media lists, and media devices; (2) aggregating and categorizing information regarding the media items, media lists, and media devices; and (3) displaying this information using a common user interface. Stevenson simply does not teach or in any way suggest identifying, aggregating, categorizing, and displaying, as claimed. Rather, Stevenson  
20 discusses a remote system as follows, the "present invention comprises a system and a method for providing media content from a *computer to media devices at locations remote from the computer*. Embodiments of the present invention take advantage of computers' inexpensive, high capacity, and high speed storage capabilities and use a computer as a media server for various types of media for other computer, televisions, stereos, or other media devices." *Stevenson, Paragraph [0010]*. Therefore, the expressed purpose of Stevenson is to *provide content to remote devices from a computer*, which is repeated through Stevenson in the figures and in the discussion. There is simply no discussion in Stevenson of identifying media items, media lists, and media devices and aggregating, categorizing, and displaying information regarding the media items, media  
25 lists, and media devices.  
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In making out the rejection of claim 14, the Office cites to Fig. 2 of Stevenson as depicting a user interface. Applicant submits, however, that Stevenson does not teach or in any way suggest how this user interface is generated. In other words, there is no mention in Stevenson of identifying, aggregating, categorizing, and displaying as recited  
35 in claim 14 and discussed in Applicant's specification.

Accordingly, Applicant respectfully submits that Stevenson does not teach or suggest all of the elements of claim 14, particularly as amended. Thus, for at least the reasons discussed above, Applicant respectfully submits that claim 14 is in condition for allowance.

5           **Claims 16-23 and 25-27** depend from claim 14 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 14, are neither disclosed nor suggested by the references of record.

10           **Claim 28** has been amended, and as amended recites a method comprising in a computer that includes a media access server, a media access client and a user interface generator that are each implemented as one or more modules that are executable on the computer [added language is indicated in bold italics]:

- 15           • generating a request for media data at the media access client;
- receiving information regarding one or more media items by the media access client from the media access server in response to the request, wherein the media access server includes a media selection to provide the information regarding the one or more media items to a plurality of said media access clients;
- 20           • receiving information regarding one or more media devices by the media access client from the media access server, wherein the media selection mechanism of the media access server is configured to provide information regarding the one or more media devices to a plurality of said media access clients;
- 25           • ***aggregating and*** categorizing the information regarding the one or more media items and the one or more media devices by the media access client; and
- generating a user interface containing the ***aggregated and*** categorized information by the user interface generator.

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          In making out the rejection of claim 28, the Office argues that claim 28 is anticipated by Stevenson. Applicant has amended claim 28 to further distinguish claim 28 from Stevenson and submits that claim 28 is allowable for similar reasons as discussed above with regards to claim 14. Specifically, Applicant respectfully submits that

35           Stevenson does not teach or in any way suggest “***aggregating and*** categorizing the information regarding the one or more media items and the one or more media devices by the media access client; and generating a user interface containing the ***aggregated and***

categorized information by the user interface generator”, as discussed above with regards to claim 14.

Accordingly, for at least the reasons discussed above, Applicant respectfully submits that claim 28 is in condition for allowance.

5           **Claims 29-37** depend from claim 28 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 28, are neither disclosed nor suggested by the references of record.

10           **Claim 38** has been amended, and as amended recites a method comprising in a computer that includes a media access server and a media access client that are each implemented as one or more modules that are executable on the computer, wherein the media access server is executable to provide a media selection mechanism to a plurality of said media access clients that includes [added language is indicated in bold italics]:

- 15           • receiving a request for media data at the media access server from the media access client;
- identifying one or more media items stored in a media database;
- identifying one or more media lists stored in a media database;
- identifying one or more media devices; and
- 20           • ***aggregating and categorizing*** information regarding the one or more media items, the one or more media lists, and the one or more stored media devices ***and providing the information*** to the media access client.

25           In making out the rejection of claim 38, the Office argues that claim 38 is anticipated by Stevenson. Applicant has amended claim 38 to further distinguish claim 38 from Stevenson and submits that claim 38 is allowable for similar reasons as discussed above with regards to claim 14. Specifically, Applicant respectfully submits that Stevenson does not teach or in any way suggest identifying one or more media items, media lists, and media devices and “***aggregating and categorizing*** information regarding

30           the one or more media items, the one or more media lists, and the one or more stored media devices ***and providing the information*** to the media access client”, as discussed above with regards to claim 14.

Accordingly, for at least the reasons discussed above, Applicant respectfully submits that claim 28 is in condition for allowance.

**Claims 39-41** depend from claim 38 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 38, are neither disclosed nor suggested by the references of record.

5       **Claim 42** has been amended, and as amended recites an apparatus comprising [added language is indicated in bold italics]:

- a media access server implemented as one or more executable modules;
- a media database coupled to the media access server;
- 10   • a first media device coupled to the media access server;
- a first media access client implemented as one or more executable modules and coupled to the media access server; and
- 15   • a second media access client implemented as one or more executable modules and coupled to the media access server, wherein the media access server identifies media items stored in the media database and ***aggregates and categorizes information regarding the identified media items and the first media device and*** provides ***the*** information regarding the identified media items and the first media device to the first media access client and the second media access client.

20       In making out the rejection of claim 42, the Office argues that claim 42 is anticipated by Stevenson. Applicant has amended claim 42 to further distinguish claim 42 from Stevenson and submits that claim 42 is allowable for similar reasons as discussed above with regards to claim 14. Specifically, Applicant respectfully submits that  
25   Stevenson does not teach or in any way suggest a media access server that identifies media items stored in a media database and “***aggregates and categorizes information regarding the identified media items and the first media device and*** provides ***the*** information regarding the identified media items and the first media device to the first media access client and the second media access client”, as discussed above with regards  
30   to claim 14.

Accordingly, for at least the reasons discussed above, Applicant respectfully submits that claim 42 is in condition for allowance.

**Claims 43-46** depend from claim 42 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features

which, in combination with those recited in claim 42, are neither disclosed nor suggested by the references of record.

**Claim 47** has been amended, and as amended recites an apparatus comprising [added language is indicated in bold italics]:

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- means for identifying at least one media item, at least one media list, and at least one media device;
- means for ***aggregating and categorizing*** information regarding the at least one media item, the at least one media list, and the at least one media device;
- means for providing ***the aggregated and categorized*** information regarding the at least one media item, the at least one media list, and the at least one media device to a requesting media access client;
- wherein the means for identifying at least one media item, at least one media list, and at least one media device further performs media-related operations for the requesting media access client.

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In making out the rejection of claim 47, the Office argues that claim 47 is anticipated by Stevenson. Applicant has amended claim 47 to further distinguish claim 47 from Stevenson and submits that claim 47 is allowable for similar reasons as discussed above with regards to claim 14. Specifically, Applicant respectfully submits that Stevenson does not teach or in any way suggest “means for identifying at least one media item, at least one media list, and at least one media device; means for ***aggregating and categorizing*** information regarding the at least one media item, the at least one media list, and the at least one media device; means for providing ***the aggregated and categorized*** information regarding the at least one media item, the at least one media list, and the at least one media device to a requesting media access client”, as discussed above with regards to claim 14.

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Accordingly, for at least the reasons discussed above, Applicant respectfully submits that claim 47 is in condition for allowance.

**Claims 48-51** depend from claim 47 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 47, are neither disclosed nor suggested by the references of record.

**Claim 52** has been amended, and as amended recites one or more computer-readable media that are tangible and that have stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to: [added language is indicated in bold italics]:

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- receive a request for media data from a media access client that is implemented as one or more executable modules that are executable on the one or more processors;
- identify one or more stored audio files;
- identify one or more stored media lists;
- identify one or more media devices; and
- ***aggregate and categorize*** information regarding the one or more stored audio files, the one or more stored media lists, and the one or more media devices ***and provide the information*** to the media access client.

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In making out the rejection of claim 52, the Office argues that claim 52 is anticipated by Stevenson. Applicant has amended claim 52 to further distinguish claim 52 from Stevenson and submits that claim 52 is allowable for similar reasons as discussed above with regards to claim 14. Specifically, Applicant respectfully submits that Stevenson does not teach or in any way suggest one or more computer-readable media that are tangible and that have stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to identify one or more stored audio files, stored media list, and media devices and “***aggregate and categorize*** information regarding the one or more stored audio files, the one or more stored media lists, and the one or more media devices ***and provide the information*** to the media access client”, as discussed above with regards to claim 14.

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Accordingly, for at least the reasons discussed above, Applicant respectfully submits that claim 52 is in condition for allowance.

**Claims 53-54** depend from claim 52 and thus are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 52, are neither disclosed nor suggested by the references of record.

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### **Conclusion**

All of the claims are in condition for allowance. Accordingly, Applicant requests that the Office issue a Notice of Allowability. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully  
5 requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: November 4, 2008

By: /Mark F. Niemann/

Mark F. Niemann

Reg. No. 61,817

Sadler, Breen, Morasch & Colby

509.755.7259

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